

**RUTHERFORD COUNTY,
TENNESSEE
BOARD OF
COMMISSIONERS
LEGISLATIVE MINUTES**

**THURSDAY,
March 14, 2013**

RUTHERFORD COUNTY BOARD OF COMMISSIONERS**AGENDA**

MARCH 14, 2013 6:00 P.M.

RUTHERFORD COUNTY COURTHOUSE, COURTROOM

- A. Commission called to order by Chairman
 - B. Prayer
 - C. Pledge to Flag
 - D. Roll Call
 - E. Reading and Approval of the Minutes
 - F. Resolutions of Recognition:
 - 1. Rock Springs Middle School Girls Basketball Team
 - 2. Scottie Boykin, State Wrestling Champion
 - G. Public Comments
 - H. **ELECTIONS & CONFIRMATIONS**
 - 1. Elect Notaries
 - 2. Announce Vacancy on Equalization Board (to expire April 2014)
 - 3. Appointment of Judicial Commissioner Rhonda Campbell
 - 4. Announce Reappointment of Helene Colvin to the Smyrna/Rutherford County Airport Authority Board
 - I. **UNFINISHED BUSINESS**
 - J. **PUBLIC HEARING – 6:30 P.M.**
 - 1.
 - K. **REPORTS BY STANDING COMMITTEES**
 - 1. **PURCHASING COMMITTEE**
 - A. Monthly Report
 - 2. **BUDGET, FINANCE & INVESTMENT COMMITTEE**
 - A. General Fund Budget Amendments
 - 1. Board of Equalization/Property Assessor
 - 2. Miscellaneous/Building Codes
 - 3. Miscellaneous/Fire & Rescue
 - 4. Restricted for Capital Projects
 - 5. Operating Transfers (Elam Road Fire Hall)
 - 6. Sheriff's Department/Jail (6)
 - B. Drug Control Fund
 - C. Special Purpose Fund Budget Amendments
 - D. Solid Waste/Sanitation Fund Budget Amendment
 - E. Resolution Authorizing 2013 OJJDP Grant Application for Juvenile Detention
 - F. Resolution Authorizing Grant Partnership Between MTSU and Ambulance Service from National Institute of Health
 - G. Resolution of the Industrial Development Board of Rutherford County Authorizing the Issuance of Revenue Bonds for Goodwill Industries of Middle Tennessee, Inc.
 - H. Resolution Authorizing Funding for the Design of the Smyrna Primary School Expansion
 - I. Resolution Authorizing Funding for the Design and Construction of Blackman Middle School Annex
 - J. Report on Debt Obligation Regarding the General Obligation Refunding Bonds, Series 2013A (Non-Taxable Bonds) and 2013B (Federally Taxable Bonds) – Information Only
 - 3. **HEALTH & EDUCATION COMMITTEE**
 - A. No Report
 - 4. **PROPERTY MANAGEMENT COMMITTEE**
 - A. No Report
 - 5. **PUBLIC SAFETY COMMITTEE**
 - A. No Report
 - 6. **PUBLIC WORKS & PLANNING COMMITTEE**
 - A. Resolution to Approve the Proposal with TDOT for Improvements to Jefferson Pike from SR 102 to East of SR 840
 - 7. **STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE**
 - A. No Report
- L. **ANY OTHER BUSINESS**

In accordance with ADA (Americans with Disabilities Act), any disabled persons requiring accommodations for participation in the meeting should contact the County Mayor's Office at 898-7745 at least two working days prior to the meeting in order that appropriate accommodations can be made.

**LEGISLATIVE DIGEST
OF THE
RUTHERFORD COUNTY
BOARD OF COMMISSIONERS**

Thursday, March 14, 2013

- A. Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order at 6:00 p.m. on Thursday, March 14, 2013, in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.
 - B. Commissioner Brad Turner led the invocation.
 - C. Commissioner Brad Turner led the pledge to our flag.
 - D. Nineteen (19) of the Rutherford County Board of Commissioners were present for the opening of the Legislative Meeting. Commissioner Sandlin was seated just after Roll Call for a total of twenty (20) Commissioners present.
 - E. The February 2013 Legislative Meeting Minutes were approved.
 - F. **RESOLUTIONS OF RECOGNITION**
 - 1. A Resolution of Recognition honoring the Rock Springs Middle School Girls Basketball Team was presented and approved.
 - 2. A Resolution of Recognition for Scottie Boykin was adopted. Mr. Boykin is a State Wrestling Champion representing Riverdale High School.
 - G. **PUBLIC COMMENTS**
 - 1. Donald Todd spoke and wants to keep our Constitutional Freedom in Rutherford County.
 - H. **ELECTIONS & CONFIRMATIONS**
 - 1. The Notary Public-at-Large Applications were approved as presented.
 - 2. Rhonda Campbell was appointed Judicial Commissioner.
 - 3. A vacancy on the Equalization Board, set to expire April 2014, was announced.
 - 4. The reappointment of Helene Colvin to the Smyrna/Rutherford County Airport Authority Board was confirmed.
 - I. **UNFINISHED BUSINESS**
 - None Reported
 - J. **PUBLIC HEARINGS – 6:30 P.M.**
 - None Reported
 - K. **REPORTS BY STANDING COMMITTEES**
 - 1. **PURCHASING COMMITTEE REPORT**
 - A. Report Approved
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- 2. **BUDGET, FINANCE & INVESTMENT COMMITTEE**
 - A. General Fund Budget amendments were approved.
 - B. The Drug Control Fund Budget was amended.
 - C. Special Purpose Fund Budget Amendments were approved.
 - D. The Solid Waste Fund Budget was amended.
 - E. A resolution to authorize the 2013 OJJDP Grant Application for Juvenile Detention was approved.
 - F. A Resolution to Authorize Grant Partnership between MTSU and Ambulance Service from the National Institute of Health was approved.
 - G. A Resolution of the Industrial Development Board of Rutherford County to authorize the issuance of Revenue Bonds for Goodwill Industries of Middle Tennessee, Inc., was approved.
 - H. A Resolution to authorize the Design of the Smyrna Primary School Expansion was approved.
 - I. A Resolution to authorize funding for the Design and Construction of Blackman Middle School Annex was approved.
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- J. Commissioner Joyce Ealy presented a report on Debt Obligation in regard to the General Obligation Refunding Bonds, Series 2013 A (Non-Taxable Bonds) and 2013B (Federally Taxable Bonds).

3. HEALTH & EDUCATION COMMITTEE

A. No Report

4. PROPERTY MANAGEMENT COMMITTEE

A. No Report

5. PUBLIC SAFETY COMMITTEE

A. No Report

6. PUBLIC WORKS & PLANNING COMMITTEE

A. A Resolution proposing TDOT improve Jefferson Pike from SR 102 to East of SR 840 was approved.

7. STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

A. No Report

L. ANY OTHER BUSINESS

Commissioner Steve Sandlin advised the Commission he and Commissioner Coggin are participating in The Saint Baldrick "Kid Cancer" program. They are raising money now and will shave their heads should they meet their fund raising goals. He asked all to consider helping them in their effort to help kids with cancer.

There being no further business, Mr. Chairman Ernest Burgess adjourned the Rutherford County Board of Commissioners Legislative Meeting. Time of adjournment was 7:27.

Lisa Duke Crowell

Lisa Duke Crowell, Rutherford County Clerk

Rick Spence

Rick Spence, Legislative Secretary



**** This document is a public record. Complete Legislative Minutes and all related documentation is available for review at the Office of the Rutherford County Clerk.

ITEM A. MEETING CALLED TO ORDER

Mr. Chairman, Ernest Burgess, called the regular session of the Rutherford County Board of Commissioners to order on Thursday, March 14, 2013 at 6:00 p.m. in the Courtroom of the Rutherford County Courthouse in Murfreesboro, Tennessee.

ITEM B. PRAYER

Commissioner Brad Turner led the invocation.

ITEM C. PLEDGE

Commissioner Brad Turner led the pledge to the flag of the United States.

ITEM D. ROLL CALL

County Clerk, Lisa Duke Crowell, called the Roll and upon Roll Call the following Commissioners were:

ROLL CALL

Doug Shafer – present	Rhonda Allen – present
Jack Black – present	Robert Stevens – present
Will Jordan – present	Jeff Jordan – present
Robert Peay – present	Charlie Baum – present
Carol Cook – present	Adam Coggin – present
Joe Frank Jernigan – present	Matthew Young – present
Gary Farley – present	Jeff Phillips – present
Tiffany Phillips – absent	Allen McAdoo – present
*Steve Sandlin – absent	Joyce J. Ealy – present
Brad Turner - present	Trey Gooch –present
Chantho Sourinho – present	

A quorum present, Chairman Burgess called for the first item on the Agenda.

*Commissioner Sandlin was seated soon after the Roll Call, bringing the total Commissioners present to twenty (20).

**ITEM E.
APPROVAL OF COMMISSION MINUTES****MOTION**

Commissioner Jeff Phillips moved, second by Commissioner Joe Frank Jernigan, to dispense with the reading of the minutes of February 2013 and approve the minutes by acclamation.

MOTION ADOPTED BY VOICE VOTE.

ITEM F. RESOLUTION OF RECOGNITION

F. 1. Resolution of Recognition – Rock Springs Middle School Girls Basketball Team

RESOLUTION OF RECOGNITION

ROCK SPRINGS MIDDLE SCHOOL LADY KNIGHTS BASKETBALL

WHEREAS, Rutherford County has an outstanding reputation for success in all areas of athletic competition, both in the public schools and private leagues, and has been duly recognized for such achievements both at the local and state level; and

WHEREAS, the Rock Springs Middle School Lady Knights basketball team has been part of that success for well over a decade in their classification, including winning the 2012-2013 Rutherford County tournament for the 5th time in the last 10 years; and

WHEREAS, the Lady Knights continued their march towards a championship, winning not only the County Regular Season Championship, but the aforementioned County tournament, as well as the Overbrook Classic Championship.; and

WHEREAS, the culmination of a year-long goal resulted in a state title, as the Lady Knights defeated the Lady Cougars of Christiana to cap a perfect season with a 25-0 record. Recognition is hereby extended and congratulations is offered to team members Tyra Hughes, Brandi Ferby, Brianah Ferby, Kesha Brady, Kayah Clark, Jane Mao, Kayleigh Snyder, Tamiara Velez-Arroyo, Chandler DeMoss, Kyra Wilder, Lexi Capron, Amanda Eldridge, NealeyBatts, Faith Wilken, Manager Reagan Norman, Asst. Coach Sarah Connifey, and Head Coach Terry Patient; and

WHEREAS, the accomplishments of these ladies not only athletically but academically should encourage all of those involved as parents, students, citizens, and elected leaders of this county, and serve as a reminder of what a unified body can accomplish when the focus is on a singular goal and not driven by personal ambitions.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that this legislative body extend this resolution of recognition to the Rock Springs Lady Knights basketball team for its outstanding accomplishment of an undefeated season, and to Head Coach Terry Patient, Asst. Coach Sarah Connifey, and the administration and teachers who have dedicated time and commitment to these student athletes.

RESOLVED this 14th day of March, 2013.

MOTION

Commissioner Brad Turner moved, second by Commissioners Rhonda Allen and Gary Farley, to approve the Resolution of Recognition.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

F. 2. Resolution of Recognition – Scottie Boykin – State Wrestling Champion from Riverdale High School

RESOLUTION OF RECOGNITION

SCOTTIE BOYKIN, STATE WRESTLING CHAMPION

WHEREAS, Riverdale High School senior Scottie Boykin recently won the State Wrestling Championship in the 195 pound class; and

WHEREAS, this was Riverdale’s first State Championship in wrestling in 39 years; and

WHEREAS, Scottie is a former outstanding student athlete at Christiana Middle School and a former wrestler for the Rutherford County Sharpshooter Wrestling Program; and

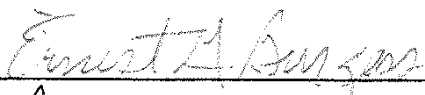
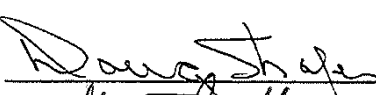
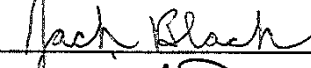
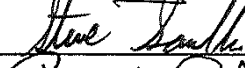

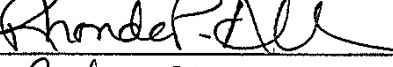
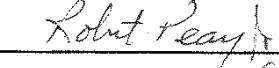

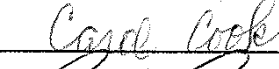
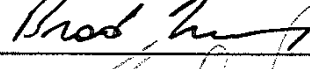
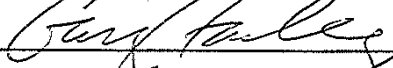





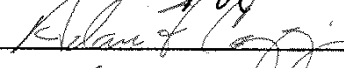
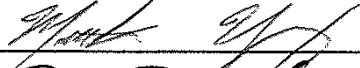
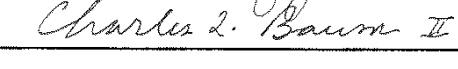

WHEREAS, as a Riverdale wrestler Scottie has had the good fortune to be coached by faculty member Ben Bowers and SRO Officer Shawn Jones, both which are dedicated to the Riverdale wrestling team; and

WHEREAS, in addition to being an gifted athlete, Scottie is an outstanding student with a GPA of 3.15; and

WHEREAS, he finished his senior season at 42-0 and is an unbeaten State Champion.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that we extend this Resolution of Recognition to Scottie Boykin for winning the State Wrestling Championship.

RESOLVED this 14th day of March, 2013.

MOTION

Commissioner Jeff Jordan moved, second by Commissioner Doug Shafer, to approve the Resolution of Recognition.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

SRO Jones applauded Mr. Boykin and thanked the County Commission for support of the SRO program.

ITEM G.
PUBLIC COMMENTS

VISITORS THAT REQUEST TO SPEAK AT COUNTY
COMMISSION MEETING ON

DATE	NAME & PHONE NUMBER	TOPIC
① 2-27-13	221 Bell Ave. Shawn Berry - 896-3313	Linebaugh Library No Show
② 3-11-13	Donald Todd	Keep our Const. Freedom & R.C. or Surrender to Dictatorship Under United Nations

Shawn Berry failed to appear to speak. Therefore, Chairman Burgess called upon Donald Todd of Buck Lane. Mr. Todd read from his prepared text:

633 Buck Lane
Murfreesboro, Tennessee 37129
March 14, 2013

To: Rutherford County Commissioners, Mayor Burgess, and
Tennessee Legislators:

Keep Our Constitutional Freedom in Rutherford County or
Surrender to Dictatorship Under the United Nation!

In 2005 the goal of the Tennessee Municipal League, which is a dangerous agency of the United Nations, was to force Rutherford County to adopt a Metro Charter Government, which, if adopted, would have prevented constitutionally elected officials from performing their normal governmental responsibilities and duties. Fortunately, this Metro Charter Government was absolutely and convincingly rejected.

In 2013, when we look at the kind of pressure tactics being used by Metro's Tennessee Municipal League to interfere with the constitutional rights of the citizens of Rutherford County, it should alert us to the dangerous plans being forced upon us by people who think that our God given constitution is an outdated and antiquated document.

One issue of great importance needs to be addressed as we intensify our fight against socialistic Metro's efforts to destroy citizen self rule here in Rutherford County and elsewhere. Apparently, financial arm twisting tactics are being used to force the Tennessee legislators not to adopt any laws which would give our County Commissioners the right to recycle millions and millions of dollars of Surplus Revenue to the next fiscal year's budget and, at the same time, leave this Surplus in the original Fund to which the appropriation was originally made. This recycling would easily eliminate any shortfall, thereby, avoiding the necessity for an increase in taxes.

Why is our state and county governments bowing to the socialistic whims of Metro's Tennessee Municipal League? It appears that Metro agents have threatened to withhold federal grants from Tennessee if our county officials continue to hold on to our Surplus Revenue. Why haven't our County Commissioners been permitted to vote on how our Surplus Revenue is to be used? Rutherford County is currently calling for a tax increase unnecessarily. However, we have enough Surplus Revenue with which to recycle it and prevent a tax increase.

Donald C. Todd, Chairman

Donald C. Todd
Republican Precinct No. 163

ITEM H. ELECTIONS & CONFIRMATIONS

ITEM H.1. NOTARY PUBLIC-AT-LARGE

RUTHERFORD COUNTY CLERK
LISA CROWELL COUNTY CLERK
319 N. MAPLE STREET
MURFREESBORO TN 37130
Telephone 615-898-7800
Fax 615-217-6597

Notaries to be elected March 14, 2013

<hr/> CLARENCE F. BARLOW JAN MARIE BARTLETT ALLYSON BAUGH JENNIFER BOGAN ALYSON BUSCH BELINDA BUTLER TAMMY JO CAMP DAMARYS CASANOVA BRI COLE KENT COLEMAN S MICHELLE COMTE TONYA COPELIN REGINA EMBRY TABITHA L GANN KIRK GARRETT BRANDON B. GLADISH SR. DIANNE L. HILL REBECCA HIX KRISTEN HOLMES ROBIN HOPKINS BEVERLY HUGHES CHRISTEEN M. JUENGLING ERIC E. KINSLOW JOANNE R LAGACE ANGELA LAMBERT	<hr/> JUDY A. MCKAY AMANDA L MORALES KATHY NICHOLS STEPHEN PARVIN VYVONNE L. PHOUTHARANSY EVAN PITTS ROSEMARY PRATER WILL PRITCHETT JO-ANN PROCTOR CHRISTINA PLATE SHEILA K. REBURN ERICA T REED CARLA S. RIDDLE LEEANN N SMITH JIMMY R. SMITH BEHZAD I SOLEIMANI JANE L. STANFIELD MARY J STAPLES HEIDI H SULLIVAN ROBERT C. THOMAS JR. KAREN C TURNER JANICE W. VANCE JANET P WISER DARLENE YOUNG
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MOTION

Commissioner Trey Gooch motioned, second by Commissioner Jeff Phillips, to approve the notary applicants as presented.

MOTION APPROVED BY UNANIMOUS VOICE VOTE

ITEM H.2.**Announce Vacancy on the Equalization Board.**

Commissioner Trey Gooch announced a vacancy on the Equalization Board.

ITEM H.3.**Appointment of Judicial Commissioner – Rhonda Campbell****MOTION**

Commissioner Trey Gooch motioned, second by Commissioner Gary Farley, to approve the appointment.

MOTION APPROVED BY UNANIMOUS VOICE VOTE**ITEM H.4.****Announce Reappointment of Helene Colvin to the Smyrna/Rutherford County Airport Authority Board****MOTION**

Commissioner Trey Gooch announced the reappointment of Helene Colvin to the Smyrna/Rutherford County Airport Authority Board and the Reappointment was affirmed.

ITEM I.**UNFINISHED BUSINESS**

None Presented

ITEM J.**PUBLIC HEARINGS – 6:30****ITEM J.1.**

None Presented

**ITEM K.
REPORTS BY STANDING COMMITTEES**

**ITEM K.1.
PURCHASING COMMITTEE**

**ITEM K.1.A.
REPORT - PURCHASING COMMITTEE**

MOTION

Commissioner Carol Cook motioned, second by Commissioner Doug Shafer, to approve and accept the Purchasing report.

Motion approved by Voice Vote

ITEM K.2.
BUDGET, FINANCE & INVESTMENT

ITEM K. 2. A.
RESOLUTION - GENERAL FUND BUDGET
AMENDMENTS

Item K. 2. A.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the GENERAL FUND be amended as follows:

Board of Equalization/Reappraisal:

From: 101-51210-308 – Board of Equalization Consultants -	\$ 3,000
To: 101-52310-499 – Reappraisal Other Supplies & Materials -	\$ 3,000

Miscellaneous/Building Codes:

From: 101-58900-425 – Miscellaneous Gasoline -	\$ 6,000
To: 101-54510-425 – Building Codes Gasoline -	\$ 6,000

Miscellaneous/Fire & Rescue:

From: 101-58900-425 – Miscellaneous Gasoline -	\$15,200
To: 101-54320-412 – Fire & Rescue Diesel Fuel -	\$12,000
101-54320-425 – Fire & Rescue Gasoline -	3,200

Restricted for Capital Projects:

Increase Revenue: 101-44170 – Miscellaneous Refunds -	\$10,723
Increase: 101-34585 – Restricted for Capital Projects -	\$10,723

Operating Transfers (Elam Road Fire Hall):

From: 101-58900-505 – Miscellaneous Judgments -	\$178,300
To: 101-99100-590 – Transfers to Other Funds -	\$178,300

Sheriff's Department/Jail:

Increase Revenue: 101-44570 – Contributions & Gifts -	\$ 2,400
Increase Expend.: 101-54110-399 – Sheriff Other Contracted Svc. -	\$ 2,390
101-54110-499 – Sheriff Other Supplies/Materials -	10
Increase Revenue: 101-44570 – Contributions & Gifts -	\$ 500
Increase Expend.: 101-54110-399 – Sheriff Other Contracted Svc. -	\$ 500

Increase Revenue:	101-44130 – Sale of Supplies & Materials -	\$ 1,964
Increase Expend.:	101-54110-399 – Sheriff Other Contracted Svc. -	\$ 1,536
	101-54210-499 – Jail Other Supplies/Materials -	428
Increase Revenue:	101-44145 – Sale of Recycled Materials -	\$ 6,421
Increase Expend.:	101-54210-335 – Jail Maint./Repair Building -	\$ 1,281
	101-54210-499 – Jail Other Supplies/Materials -	5,140

From:	101-54110-187 – Sheriff's Dept. Overtime Pay -	\$ 2,500
	101-54110-201 – Sheriff's Dept. Social Security -	155
	101-54110-212 – Sheriff's Dept. Employer Medicare -	36
	101-54110-204 – Sheriff's Dept. State Retirement -	316

To:	101-54160-187 – Sex Offender Registry Overtime Pay -	\$ 2,500
	101-54160-201 – Sex Offender Registry Social Security -	155
	101-54160-212 – Sex Offender Registry Employer Medicare -	36
	101-54160-201 – Sex Offender Registry State Retirement -	316

From:	101-54110-187 – Sheriff's Dept. Overtime Pay -	\$15,000
	101-54110-201 – Sheriff's Dept. Social Security -	930
	101-54110-212 – Sheriff's Dept. Employer Medicare -	220
	101-54110-204 – Sheriff's Dept. State Retirement -	1,910

To:	101-54210-187 – Jail Overtime Pay -	\$15,000
	101-54210-201 – Jail Social Security -	930
	101-54210-212 – Jail Employer Medicare -	220
	101-54210-204 – Jail State Retirement -	1,910

RESOLVED, this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: *Ernest G. Burgess*
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy motioned, second by Commissioner Robert Peay, to approve the General Fund Budget Amendments.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Gary Farley – aye
Tiffany Phillips – absent
Steve Sandlin – aye
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye
Robert Stevens – aye
Jeff Jordan – aye
Charlie Baum – aye
Adam Coggin – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K. 2. B.
RESOLUTION – Drug Control Fund

Item K. 2. B.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the DRUG CONTROL FUND be amended as follows:

Drug Enforcement:

Increase Revenue:	122-44570 – Contributions & Gifts -	\$414
Increase Expend.:	122-54150-401 – Animal Food & Supplies -	\$414

RESOLVED this 14th day of March 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Steve Sandlin, to approve the measure.

UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:

- | | |
|---------------------------|----------------------|
| Doug Shafer – aye | Rhonda Allen – aye |
| Jack Black – aye | Robert Stevens – aye |
| Will Jordan – aye | Jeff Jordan – aye |
| Robert Peay – aye | Charlie Baum – aye |
| Carol Cook – aye | Adam Coggin – aye |
| Joe Frank Jernigan – aye | Matthew Young – aye |
| Gary Farley – aye | Jeff Phillips – aye |
| Tiffany Phillips – absent | Allen McAdoo – aye |
| Steve Sandlin – aye | Joyce J. Ealy – aye |
| Brad Turner – aye | Trey Gooch – aye |
| Chantho Sourinho – aye | |

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K. 2. C.
AMENDMENT – Special Purpose Fund Budget
Amendment

Item K. 2. C.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the SPECIAL PURPOSE (DEA) FUND be amended as follows:

Sheriff's Department:


Increase Revenue:	121-47700 – Asset Forfeiture Funds -	\$9,496
Increase Expend.:	121-54110-319 – Confidential Enforcement -	\$9,496

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Chantho Sourinho, to approve the measure.

UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Gary Farley – aye
Tiffany Phillips – absent
Steve Sandlin – aye
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye
Robert Stevens – aye
Jeff Jordan – aye
Charlie Baum – aye
Adam Coggin – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K.2.D.
AMENDMENT – Solid Waste/Sanitation Fund Budget**

Item K. 2. D.

RESOLUTION

BE IT RESOLVED by the Rutherford County Board of Commissioners that the SOLID WASTE/SANITATION FUND be amended as follows:

Convenience Centers:

From: 116-34730 – Assigned for Public Health & Welfare - \$131,000
116-55732-724 – Convenience Centers Site Development - 92,000


To: 116-55732-715 – Land - \$223,000

RESOLVED, this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Trey Gooch, to approve the amendment.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

- | | |
|---------------------------|----------------------|
| Doug Shafer – nay | Rhonda Allen – aye |
| Jack Black – nay | Robert Stevens – aye |
| Will Jordan – aye | Jeff Jordan – aye |
| Robert Peay – aye | Charlie Baum – aye |
| Carol Cook – aye | Adam Coggin – aye |
| Joe Frank Jernigan – aye | Matthew Young – nay |
| Gary Farley – aye | Jeff Phillips – aye |
| Tiffany Phillips – absent | Allen McAdoo – nay |
| Steve Sandlin – nay | Joyce J. Ealy – aye |
| Brad Turner – nay | Trey Gooch – aye |
| Chantho Sourinho – aye | |

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K. 2. E.
AMENDMENT –Authorize 2013 OJJDP Grant
Application for Juvenile Detention

Item K. 2. E.

RESOLUTION

WHEREAS, Rutherford County has been notified of available grant funds under the 2013 Community-Based Violence Prevention Demonstration Program through the Office of Juvenile Justice and Delinquency Prevention; and

WHEREAS, the Rutherford County Juvenile Detention Center desires to submit an application for the said grant in conjunction with the Smyrna Police Department, which requires no matching funds.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and any other appropriate officials of Rutherford County be, and are hereby authorized, to submit an application to the Office of Juvenile Justice and Delinquency Prevention for the 2013 Community-Based Violence Prevention Program Grant requiring no matching funds.

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: 
 ERNEST G. BURGESS, Chairman

ATTEST:


 LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Carol Cook, to approve the measure.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM K. 2. F.
RESOLUTION – Authorize Grant Partnership Between MTSU and Ambulance Service from National Institute of Health

Item K. 2. F.

RESOLUTION

WHEREAS, Rutherford County has been made aware of a one-year grant through the National Institute of Health in the approximate amount of Eighty Thousand Dollars (\$80,000.00) requiring no matching funds; and

WHEREAS, a partnership is being proposed between Middle Tennessee State University, Rutherford County Emergency Medical Service, and National Health Corporation to apply for said grant; and if awarded, the grant funds would be used to reduce the number of individuals who make unnecessary calls to the Ambulance Service and emergency rooms in order to improve efficiency.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the County Mayor and any other appropriate officials be, and are hereby authorized, to submit a grant application to the National Institute of Health for a one-year grant in the approximate amount of Eighty Thousand Dollars (\$80,000.00) requiring no matching funds.

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, Chairman

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Gary Farley, to approve the grant.

MOTION ADOPTED BY UNANIMOUS VOICE VOTE.

ITEM K. 2. G.
RESOLUTION – Industrial Development Board of Rutherford County Authorizing the Issuance of Revenue Bonds for Goodwill Industries of Middle Tennessee, Inc.

Item K. 2. G.

RESOLUTION

WHEREAS, at the meeting on February 27, 2013, the Industrial Development Board of Rutherford County adopted a Resolution acknowledging its intent to issue revenue bonds in the total amount not to exceed Ten Million Dollars (\$10,000,000.00) in one or more issues and/or series to be loaned to Goodwill Industries of Middle Tennessee, Inc. to assist it in financing a portion of the cost of acquiring Three (3) parcels of real property located in Hendersonville, Murfreesboro, and Mt. Juliet, Tennessee, and constructing and equipping on each site an approximately Thirty Thousand (30,000) square foot facility to house a retail store, donation center and Career Solutions training center to be operated by the Company.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that the Industrial Development Board of Rutherford County, Tennessee be, and is hereby authorized to execute all necessary documents for the issuance of revenue bonds by the Industrial Development Board of Rutherford County, Tennessee in an amount not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with a Resolution duly adopted by the Industrial Development Board of Rutherford County, Tennessee, a copy of the same being attached hereto as "Exhibit 1" and incorporated herein by reference as if set forth herein at length verbatim.

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: 
ERNEST G. BURGESS, Chairman

ATTEST:


LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Doug Shafer, to approve the measure.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye
Jack Black – aye
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Gary Farley – aye
Tiffany Phillips – absent
Steve Sandlin – aye
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye
Robert Stevens – aye
Jeff Jordan – aye
Charlie Baum – aye
Adam Coggin – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K. 2. H. RESOLUTION – Authorize Funding for the Design of the Smyrna Primary School Expansion

Item K. 2. H.

RESOLUTION

WHEREAS, the population in Rutherford County continues to increase, which is causing a strain on the Rutherford County School System; and

WHEREAS, the Rutherford County Board of Education is proposing to construct an addition to the Smyrna Primary School at a cost of Two Million Five Hundred Six Thousand Two Hundred Eighty-Eight Dollars (\$2,506,288.00) including design, furniture, fixtures, engineering and construction to be completed by August, 2014; and

WHEREAS, the estimated cost for the design of the Smyrna Primary addition is One Hundred Five Thousand Dollars (\$105,000.00).

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that One Hundred Five Thousand Dollars (\$105,000.00) be appropriated for the design of an addition to the Smyrna Primary School with the funding to be provided internally from FUND 189 – OTHER CAPITAL PROJECTS FUND.

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: Ernest G. Burgess
ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by
Commissioner Will Jordan, to approve the Expansion.

**UPON ROLL CALL,
THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye
Jack Black – nay
Will Jordan – aye
Robert Peay – aye
Carol Cook – aye
Joe Frank Jernigan – aye
Gary Farley – aye
Tiffany Phillips – absent
Steve Sandlin – aye
Brad Turner – aye
Chantho Sourinho – aye

Rhonda Allen – aye
Robert Stevens – aye
Jeff Jordan – aye
Charlie Baum – aye
Adam Coggin – aye
Matthew Young – aye
Jeff Phillips – aye
Allen McAdoo – aye
Joyce J. Ealy – aye
Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

ITEM K. 2. I.
RESOLUTION – Authorize Funding for the Design and Construction of Blackman Middle School Annex

Item K. 2. I.

RESOLUTION

WHEREAS, the Rutherford County Board of Education is proposing to construct an annex for the Blackman Middle School to be completed by August 2014 in order to relieve overcrowding at the school; and

WHEREAS, the estimated cost to construct the annex is Seven Million Four Hundred Thousand One Hundred Thirty-Three Dollars (\$7,400,133.00) including design, furniture, fixtures, engineering and construction.

THEREFORE BE IT RESOLVED by the Rutherford County Board of Commissioners that construction of an annex for Blackman Middle School be approved at a cost of Seven Million Four Hundred Thousand One Hundred Thirty-Three Dollars (\$7,400,133.00) with all or a portion of the design funds totaling Three Hundred Nine Thousand Dollars (\$309,000.00) to be funded internally from FUND 189 – OTHER CAPITAL PROJECTS FUND, and the balance of the funding to be provided from a future borrowing.

RESOLVED this 14th day of March, 2013.

RUTHERFORD COUNTY, TN

BY: Ernest G. Burgess
 ERNEST G. BURGESS, Chairman

ATTEST:

Lisa Crowell
 LISA CROWELL, County Clerk

MOTION

Commissioner Joyce Ealy moved, second by Commissioner Robert Peay, to fund Design and Construction of Blackman Middle School Annex.

UPON ROLL CALL, **THE FOLLOWING COMMISSIONERS VOTED:**

Doug Shafer – aye
 Jack Black – nay
 Will Jordan – aye
 Robert Peay – aye
 Carol Cook – aye
 Joe Frank Jernigan – aye
 Gary Farley – aye
 Tiffany Phillips – absent
 Steve Sandlin – nay
 Brad Turner – nay
 Chantho Sourinho – aye

Rhonda Allen – aye
 Robert Stevens – nay
 Jeff Jordan – aye
 Charlie Baum – nay
 Adam Coggin – nay
 Matthew Young – nay
 Jeff Phillips – aye
 Allen McAdoo – nay
 Joyce J. Ealy – aye
 Trey Gooch – aye

MOTION ADOPTED BY ROLL CALL VOTE.

**ITEM K. 2. J.
RESOLUTION – Report on Debt Obligation Regarding
the General Obligation Refunding Bonds**

Commissioner Joyce Ealy presented a report on Debt Obligation in regard to the General Obligation Refunding Bonds, Series 2013 A (Non-Taxable Bonds) and 2013B (Federally Taxable Bonds). Commissioner Ealy pointed out no action is necessary at this time.

**ITEM K.3.
HEALTH & EDUCATION COMMITTEE**

K.3.A. No Report

**ITEM K.4.
PROPERTY MANAGEMENT**

K.4.A. No Report

**ITEM K.5.
PUBLIC SAFETY COMMITTEE**

K.5.A. No Report

ITEM K.6.
PUBLIC WORKS & PLANNING COMMITTEE

K.6.A. Resolution – Approve the Proposal with TDOT for Improvements to Jefferson Pike from SR 102 to East of SR 840

RESOLUTION

WHEREAS, the attached proposal between Rutherford County, Tennessee and the State of Tennessee Department of Transportation for construction of a project designated as State Project No. 75027-2225-14, that is described as SR-266 (Jefferson Pike) from S.R. 102 to East of S.R. 840 in the County of Rutherford, a copy of said proposal being attached hereto as Exhibit "1" and incorporated herein at length as if set forth verbatim; and

WHEREAS, it is in the best interest of the citizens of Rutherford County for the County to enter into said proposal for the betterment of the community.

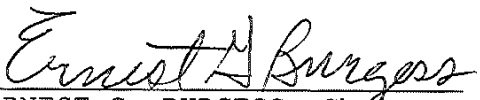
NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that Rutherford County hereby approves the proposal for construction of a project designated as State Project No. 75027-2225-14, that is described as SR-266 (Jefferson Pike) from S.R. 102 to East of S.R. 840 in Rutherford County.

BE IT FURTHER RESOLVED that the appropriate officials for and on behalf of Rutherford County be and hereby are authorized to execute for and on behalf of Rutherford County any and all documents required by said proposal with the State of Tennessee, Department of Transportation.

RESOLVED, this 14th day of March, 2013.

ATTEST:


LISA DUKE CROWELL, County Clerk

RUTHERFORD COUNTY, TENNESSEE
BY: 
ERNEST G. BURGESS, Chairman

Federal Project Number : STP-266
State Project Number: 75027-2225-14

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF RUTHERFORD TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the COUNTY of RUTHERFORD hereinafter "COUNTY", designated as State Project Number 75027-2225-14, that is described as S.R. 266 (Jefferson Pike) from S.R. 102 to East of S.R. 840, and the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted against COUNTY by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, the COUNTY will notify in writing the Attorney General of the State, whose address is P.O. Box 20207, Nashville, Tennessee 37202-0207, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.
 2. The COUNTY will close or otherwise modify any of its roads or other public ways if indicated on the project plans, as provided by law.
 3. The COUNTY will transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.
-

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY.

5. The COUNTY will maintain any frontage road to be constructed as part of the project.

6. After the project is completed and open to traffic, to the COUNTY will accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project.

7. The COUNTY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system.

9. If, as a result of acquisition and use of right-of-way for the project, any building improvements become in violation of a COUNTY setback/building line requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action as necessary to accomplish such waiver.

10. The COUNTY will prohibit encroachments of any kind upon the right-of-way and easements for the project.

11. The COUNTY will prohibit the servicing of motor vehicles within the right-of-way and easements for the project.

12. The COUNTY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project and before installing any device for the purpose of regulating the movement of traffic.

13. The DEPARTMENT will maintain the completed project if it is classified as full access control (i.e., a project which has no intersecting streets at grade), and it will maintain the pavement from curb to curb where curbs exist or the full width of the roadway where no curbs exist on non-access control projects. The COUNTY agrees to maintain other parts of non-access control projects.

14. When said project is completed, the COUNTY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation or governmental agency, without first obtaining the approval of the DEPARTMENT.

15. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation or damage civil actions of which the Attorney General has received the notice and pleadings provided for herein.

16. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

Federal Project Number : STP-266
State Project Number: 75027-2225-14

17. The acceptance of this proposal shall be evidenced by the passage of an ordinance, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto.

Federal Project Number : STP-266
State Project Number: 75027-2225-14

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this ____ day of _____, 20____.

THE COUNTY OF RUTHERFORD

BY: Ernest A. Burgess DATE: _____
County Mayor

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____ DATE: _____
John C. Schroer
Commissioner

APPROVED AS TO FORM AND LEGALITY:

BY: _____ DATE: _____
Attorney Department of Transportation

MOTION

**Commissioner Brad Turner motioned, second by Commissioners Will Jordan and Jack Black to approve this measure.
MOTION ADOPTED BY UANANIMOUS VOICE VOTE.**

**ITEM K.7.
STEERING, LEGISLATIVE & GOVERNMENT**

ITEM K.7.A.

No Report

**ITEM L.
ANY OTHER BUSINESS**

Commissioner Steve Sandlin advised the Commission he and Commissioner Adam Coggin are participating in The Saint Baldrick “Kid Cancer” program. The two are raising money and will shave their heads should they meet their fund raising goals. He asked all to consider helping them in their effort to help kids with cancer.

ADJOURNMENT

There being no further business, Mr. Chairman Ernest G. Burgess, adjourned the Rutherford County Board of Commissioners Legislative meeting at 7:22 p.m.

**ENTER: _____
CHAIRPERSON, ERNEST G. BURGESS**

**ATTEST: _____
COUNTY CLERK, LISA DUKE CROWELL**